

State of California  
AIR RESOURCES BOARD

EXECUTIVE ORDER D-346-1  
Relating to Exemptions Under Section 27156  
of the Vehicle Code

ELECTROMOTIVE, INC.  
"4.2L JEEP FUEL INJECTION CONVERSION KIT"

WHEREAS, Vehicle Code Section 27156 and Title 13 California Code of Regulations (hereafter "CCR") Section 2222, authorize the California Air Resources Board (ARB) and its Executive Officer to exempt add-on and modified parts from the prohibitions in Vehicle Code Sections 27156 and 38391.

WHEREAS, Electromotive, Inc. of 14004-J Willard Road, Chantilly, Virginia 22021, has applied to the ARB for exemption from the prohibitions in Vehicle Code Sections 27156 and 38391 for their 4.2L Jeep Fuel Injection Conversion Kit (JFI) for the following applications:

1. 1972-1978 4.2L (258 CID) Jeep vehicles equipped with carburetion system, Exhaust Gas Recirculation (EGR), Positive Crankcase Ventilation (PCV), and Evaporative Emission System (EVP).
2. 1979-1989 4.2L (258 CID) Jeep vehicles equipped with carburetion system, EGR, PCV, EVP, Air Injection-valve, Oxygen sensor, and Three-way plus Oxidation Catalytic Converter (TWC + OC).
3. 1990 4.2L (258 CID) Jeep Wrangler equipped with carburetion system, EGR, TWC + OC, Pulsed Secondary Air, and Oxygen Sensor.

The following modifications are allowed on applicable vehicles when installing the 4.2L Jeep Fuel Injection Conversion Kit:

<u>OEM</u>	<u>Electromotive Replacement</u>
Idle Speed Throttle Plates and Valves	Idle Air Control Motor (IAC)
Choke and Accelerator Pump	Throttle Position Sensor and Mass Air Flow (MAF)
Anti-Backfire and Decel Valves	Fuel Shut-off by Computer
Air-Cleaner, Heat-Riser, Delay and Check Valves	Air-Duct to Air-Cleaner
Ignition Distributor, Mechanical Vacuum Advance	Distributorless Ignition System (DIS)
Pulse Air Injection, Solenoids, Vacuum Switch, Check Valve	Not required
PCV Valve and Solenoid	PCV Valve
OEM Computer	TEC II Computer

WHEREAS, pursuant to the authority vested in the Executive Officer by Health and Safety Code Section 39515 and in the Chief, Mobile Source Division by Health and Safety Code Section 39516 and Executive Order G-45-5, the ARB finds that the Electromotive, Inc.'s Fuel Injection Conversion Kit complies with the California Vehicle Code Sections 27156 and 38391, and Title 13, California Code of Regulations, Section 2222.

IT IS HEREBY RESOLVED that Electromotive, Inc.'s Fuel Injection Conversion Kit is exempt from the prohibitions in Vehicle Code Sections 27156 and 38391 for installation on applicable vehicles subject to the following conditions:

1. The installation of the 4.2L Jeep Fuel Injection Conversion Kit will not recommend tuning the vehicle to specifications different from those submitted by the device manufacturer.
2. Changes made to the design or operating conditions of the JFI kit, as exempted by the ARB, that adversely affect the performance of a vehicle's pollution control system shall invalidate the Executive Order.
3. Marketing of the JFI kit using identifications other than those shown in the exemption application or marketing of the JFI for vehicle applications other than the ones listed in this order shall be prohibited unless prior approval is obtained from the ARB. Exemption of the JFI kit shall not be construed as an exemption to sell, offer for sale, or advertise any of its components as individual devices.
4. Any oral or written references to this Executive Order or its content by Electromotive, Inc., its principals, agents, employees, distributors, dealers, or other representatives must include the disclaimer that the Executive Order or the exemption it provides is not an endorsement or approval of any emissions reduction claims for the JFI kit and is only a finding that it is exempt from the prohibitions in Vehicle Code Sections 27156 and 38391.

This Executive Order does not constitute any opinion as to the effect the use of the JFI kit may have on any warranty either expressed or implied by the vehicle manufacturer.

This Executive Order is granted based on results from emissions tests conducted in accordance with Cold-start CVS-75 Federal Test Procedure. However, the ARB finds that reasonable grounds exist for believing that use of the TEC II Computer as part of the JFI kit may adversely affect emissions of motor vehicles when operating under conditions outside the parameters of the previously prescribed test procedures. Accordingly, the ARB reserves the right to conduct additional emissions tests, in the future, as such tests are developed, that will more adequately measure emissions from all cycle phases. If such test results demonstrate that the performance of the JFI kit adversely affects emissions during off-cycle conditions (defined as those conditions which are beyond the parameters of the Cold-start CVS-75 Federal Test Procedure), this Executive Order shall be effectively rescinded as of the date the test results are validated.

Further, if such test results or other evidence provides the ARB with reason to suspect that TEC II will affect the durability of the emission control system, Electromotive, Inc. shall be required to submit durability data to

show that the durability of the vehicle emission control system is not, in fact affected and/or that the add-on or modified part demonstrates adequate durability.

In addition to the foregoing, the ARB reserves the right in the future to review this Executive Order and the exemption provided herein to assure that the exempted add-on or modified part continues to meet the standards and procedures of Title 13, California Code of Regulations, Section 2222 et seq. and any future amendments thereto.

THIS EXECUTIVE ORDER DOES NOT CONSTITUTE A CERTIFICATION, ACCREDITATION, APPROVAL, OR ANY OTHER TYPE OF ENDORSEMENT BY THE AIR RESOURCES BOARD OF ANY CLAIMS OF THE APPLICANT CONCERNING ANTI-POLLUTION BENEFITS OR ANY ALLEGED BENEFITS OF ELECTROMOTIVE, INC.'S 4.2L JEEP FUEL INJECTION CONVERSION KIT.

No claim of any kind, such as "Approved by the Air Resources Board" may be made with respect to the action taken herein in any advertising or other oral or written communication.

Section 17500 of the Business and Professions Code makes untrue or misleading advertising unlawful, and Section 17534 makes violation punishable as a misdemeanor.

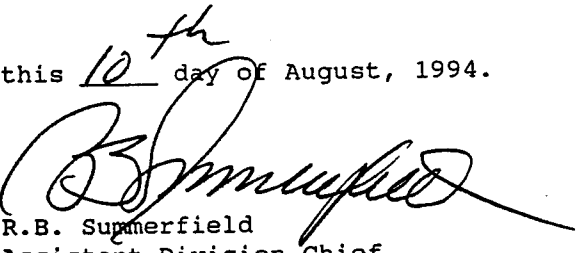
Section 43644 of the Health and Safety Code provides as follows:

"43644, (a) No person shall install, sell, offer for sale, or advertise, or, except in an application to the state board for certification of a device, represent, any device as a motor vehicle pollution control device for use on any used motor vehicle unless that device has been certified by the state board. No person shall sell, offer for sale, advertise, or represent any motor vehicle pollution control device as a certified device which, in fact, is not a certified device. Any violation of this subdivision is a misdemeanor."

Violation of any of the above conditions of this Executive Order may result in its rescission or submission to the Attorney General of California for such action as he deems advisable.

Executive Order No. D-346 dated February 1, 1994, is hereby superseded and of no further force and effect.

Executed at El Monte, California, this 10<sup>th</sup> day of August, 1994.

  
R.B. Summerfield  
Assistant Division Chief  
Mobile Source Division